

1 ARIEL E. STERN, ESQ.
 2 Nevada Bar No. 8276
 3 STEVEN G. SHEVORSKI, ESQ.
 4 Nevada Bar No. 8256
 5 AKERMAN SENTERFITT LLP
 6 400 South Fourth Street, Suite 450
 Las Vegas, Nevada 89101
 Telephone: (702) 634-5000
 Facsimile: (702) 380-8572
 Email: ariel.stern@akerman.com
 Email: steven.shevorski@akerman.com

7 *Attorneys for Defendant*
 8 *Bank of America, N.A., successor by merger*
to BAC Home Loans Servicing, LP

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 CIRO DAVILA, an individual,

Case No.: 2:10-cv-02252-ECR-GWF

12 Plaintiff,

13 vs.

14 BAC HOME LOANS SERVICING, LP, a
 15 subsidiary of BANK OF AMERICA, N.A., and
 16 DOES I through X inclusive,

Defendants.

ORDER CANCELING LIS PENDENS

17 This Court issued an Order Granting Defendant Bank of America, N.A., successor by merger
 18 to BAC Home Loans Servicing, LP's ("Defendant"), Motion to Dismiss [Dkt. 4] ("Motion") on July
 26, 2011.

20 Defendant requests that the lis pendens Plaintiff CIRO DAVILA ("Plaintiff") recorded
 21 against the subject property be canceled.

22 The Court finds that Plaintiff recorded a Notice of Lis Pendens ("Lis Pendens") on or about
 23 November 17, 2010, as Instrument Number 201011170002181 in real property records maintained
 24 by the Clark County Recorder. A copy of the Lis Pendens is attached hereto as **Exhibit A** and fully
 25 incorporated by reference.

26 Upon consideration of Defendant's request to cancel the above-referenced Lis Pendens, and
 27 good cause appearing therefore, the Court hereby grants Defendant its requested relief and rules as
 28 follows:

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the 8th day of September, 2011 and pursuant to Fed. R. Civ. P. 5, I served via CM/ECF and/or deposited for mailing in the U.S. Mail a true and correct copy of the foregoing [Proposed] **ORDER CANCELING LIS PENDENS**, postage prepaid and addressed to:

MICHAEL J. HARKER, ESQ.
Boggess & Harker
5550 Painted Mirage Road, Suite 255
Las Vegas, Nevada 89149
Facsimile: 702- 233-2209

Attorney for Plaintiff

/s/ Debbie Julien
An employee of AKERMAN SENTERFITT LLP

AKERMAN SENTERFITT LLP
400 SOUTH FOURTH STREET, SUITE 450

4000 SOUTH FOURTH STREET, SUITE 430
LAS VEGAS, NEVADA 89101
TEL: (702) 634-5000 - FAX: (702) 380-8572

EXHIBIT A

EXHIBIT A

Inst #: 201011170002181

Fees: \$15.00

N/C Fee: \$0.00

11/17/2010 09:05:00 AM

Receipt #: 581305

Requestor:

MICHAEL J HARKER (LEGAL WIN

Recorded By: MAT Pgs: 2

DEBBIE CONWAY

CLARK COUNTY RECORDER

APN# 179-31-315-031

11-digit parcel number may be obtained at:
<http://redrock.co.clark.nv.us/assirrealprop/ownr.aspx>

Notice of 2

Lis Pendens

Type of Document

(Example: Declaration of Homestead, Quit Claim Deed, etc.)

Recording Requested by:

Boggs + Harker

Return To:

Name Michael J. Harker, Esq.

Address 5550 Painted Mirage Rd. #255

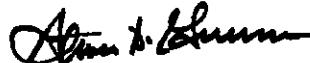
City/State/Zip Las Vegas, NV 89149

This page added to provide additional information required by NRS 111.312 Section 1-2
(An additional recording fee of \$1.00 will apply)

This cover page must be typed or printed clearly in black ink only.

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11/10/2010 12:14:51 PM

1 PARCEL NO (179-31-315-031)
2 BOGGESSION & HARKER
2 MICHAEL J. HARKER, ESQ.
Nevada Bar No. 005353
3 5550 Painted Mirage Road, Suite 255
Las Vegas, Nevada 89149
4 (702) 233-5040
Attorney for Plaintiff


CLERK OF THE COURT

5 DISTRICT COURT

6 CLARK COUNTY, NEVADA

7 CIRO DAVILA, an individual

CASE NO: A-10-627134
DEPT NO: X

8 Plaintiff,

9 vs.
10 BAC HOME LOANS SERVICING, LP., a
subsidiary of BANK OF AMERICA N.A.,
and DOES I through X inclusive,

11 Defendants.

12 NOTICE OF LIS PENDENS

13 NOTICE is hereby given that an action has been commenced and is now pending in this court
14 on the Complaint of the above-named Plaintiff against the above-named Defendants, seeking that the
15 title to said interest of the parties to be granted to Plaintiff.

16 The real property in the County of Clark affected thereby is particularly described as follows:

17 PARADISE POINT UNIT -4
PLAT BOOK 122 PAGE 46
LOT 377

18 PARCEL NO. 179-31-315-031

19 Commonly known as 112 Staplehurst Ave., Henderson, Nevada 89002.

20 DATED this 10th day of November, 2010.

22 BOGGESSION & HARKER

23 BY: /s/ Michael J. Harker
24 MICHAEL J. HARKER, ESQ.,
Nevada State Bar Number 5353
5550 Painted Mirage Road, Suite 255
25 Las Vegas, NV 89149
Attorney for Plaintiff

26
27
28 BOGGESSION & HARKER, Esq., 11.10.mw.wpd